

EXECUTIVE SUMMARY

"The Family Law Center has helped me every step of the way. I don't know where I'd be without it. The people are very helpful. I'm a single mom with low income and without this center I would not have been able to accomplish everything."

*Customer, 2002
Female*

*"Very helpful and informative. I think more fathers would respond to court orders with the help they can receive. The service was very directional and friendly, went through step by step process very quickly and with patience even though she had people waiting."*¹

*Customer, 2002
Male*

THE FAMILY LAW INFORMATION CENTERS

The three pilot Family Law Information Centers were established by the Legislature in 1999 to address the reality of the growing numbers of litigants without attorneys who need to access the family law courts. The Legislature stated the concerns that led to the creation of the centers in Family Code section 15000(a) by making the following findings:

1. A growing number of family law litigants are unrepresented in family law proceedings, and the primary reason for the lack of representation in these matters is their inability to afford legal assistance;
2. The inability to have access to legal resources prevents low-income litigants from fully understanding their rights and remedies in family law proceedings, thereby restricting their access to justice;
3. There is a compelling state interest in ensuring that all family law litigants better understand court procedures and requirements and that all litigants have more meaningful access to family court; and
4. It is the public policy of this state to maximize the opportunity for low-income persons to receive fair and just treatment by the family court and to

¹ These quotations are taken from narratives written by customers on customer satisfaction forms from the Los Angeles County program.

CRITERIA FOR SUCCESS (FAMILY LAW INFORMATION CENTER ACT)

1. EACH FAMILY LAW INFORMATION CENTER SHOULD SEE AT LEAST 100 CUSTOMERS PER YEAR

√ FY 2001-2002: MORE THAN 45,000 INDIVIDUALS WERE SERVED. NUMBERS ARE COMPARABLE IN ALL YEARS OF SERVICE.

2. THE MAJORITY OF JUDGES IN PILOT COUNTIES SHOULD REPORT THAT THE FAMILY LAW INFORMATION CENTERS EXPEDITE PRO PER CASES

√ 88% REPORT THAT THE FAMILY LAW INFORMATION CENTERS HELP EXPEDITE CASES WITH PRO PER LITIGANTS.

√ 88% REPORT THAT THE FAMILY LAW INFORMATION CENTER SAVES COURTROOM TIME.

3. THE MAJORITY OF CUSTOMERS SHOULD BE SATISFIED WITH SERVICES

√ 93% FELT THE SERVICE WAS HELPFUL

√ 95% FELT THEY HAD BEEN TREATED WITH COURTESY AND RESPECT

**Family Law
Information
Centers
FY 2001–2002**

* Budget: \$300,000

* The courts of Los Angeles, Fresno and Sutter Counties provided additional funding to the Family Law Information Center programs in the total amount of \$120,000.

* Combined funding provided services to more than 45,000 individuals

* Cost is approximately \$9.33 per customer.

decrease inequities resulting from an unrepresented party's limited legal skills and knowledge.

Three pilot Family Law Information Centers were authorized. The three pilot centers are in Los Angeles, Fresno, and Sutter Counties. All are operated under the administrative structure of the local offices of the family law facilitators. The family law facilitators are attorneys who work for the courts providing information to pro per litigants with respect to child support. The funding for the family law facilitators limits them to working only on child support related issues, and particularly in Title IV-D child support enforcement cases. The pilot Family Law Information Centers are able to provide assistance with the numerous other issues commonly arising within the family law courts.

An evaluation of the three pilot programs was conducted pursuant to the Family Law Information Center Act (Fam. Code §15010(k).) Data were taken from all the pilots. Because of its high volume of customers, the Los Angeles Family Law Information Center accounted for approximately 80 percent of the data overall. Aggregate numbers, therefore, are more reflective of the Los Angeles County program than of the other two pilots. Data for the individual programs are set out in detail in the following chapters of the report.

The three pilot programs provide services in several different case types:

- a. Dissolution. Traditionally, family law covers several different types of cases. Each case type is defined by the relationship between the parties. For example, cases types involving the marital relationship are dissolution (divorce), legal separation and nullity. In these marital cases, examples of potential issues within them are: custody/visitation, child support, spousal support, division of property and debt, and domestic violence restraining orders. Dissolution cases make up 70 percent of the case types seen in the Family Law Information Centers.
- b. Paternity. If parties are unmarried, but have minor children in common, they may file an action to legally determine parentage. This is called a paternity case and it is filed under the Uniform Parentage Act (UPA). Examples of issues that can be raised in a paternity case are: parentage, child support, custody/visitation

and domestic violence restraining orders. Because the parties are not married, they may not raise issues of spousal support or property division within this case type. Paternity cases account for 25 percent of the cases seen in the Family Law Information Centers.

- c. Title IV-D Child Support Enforcement. These cases are filed by the State of California through the Department of Child Support Services (DCSS). The purpose of such cases is to establish and collect child support. Parents may be married or unmarried. If they are unmarried the Title IV-D case will seek to establish who the legal parents are. Once parentage has been established, then issues of child custody/visitation, child support and restraining orders may be raised within this type of case. The family law facilitator in Los Angeles County handles all Title IV-D cases. In Sutter County, the Family Law Information Center handles Title IV-D cases 29 percent of the time. The Fresno County program handles Title IV-D cases 17 percent of the time.
- d. Domestic Violence Prevention Act. The Domestic Violence Prevention Act (DVPA) allows a victim of domestic violence to seek protective restraining orders without the necessity of filing a dissolution or paternity case within which to raise this issue. The issues of custody/visitation and child support may be raised within a DVPA case as long as parentage has been established elsewhere. The issue of parentage itself will not be heard with in this type of case. Overall, these cases make up less than 3 percent of the Family Law Information Center caseloads. Most of the pilot programs work in collaboration with other legal services agencies to provide assistance in domestic violence cases.
- e. Other Case Types. There are also other types of cases that sometimes appear in the cluster of family law matters. Each has its own set of rules about what issues can be raised. Examples of such cases are: juvenile dependency, probate guardianships, name changes, civil harassment restraining orders, adoptions, petitions for custody/support, and registration of foreign judgments. These other case types also accounted for less than 3 percent of the cases handled by the Family Law Information Centers.

Within these various cases, the Family Law Information Centers dealt with numerous issues; however, matters of child custody and visitation were in the great majority. Customers had custody/visitation issues in 72 percent of the cases. The issue of child support (21 percent) was the next most frequently raised issue in the pilot programs. Numerous other issues were also presented to the centers, including spousal support, grandparent visitation, name changes, and child abduction.

Services are provided mainly on a one-on-one basis; however, workshops and telephone help-lines are also used to assist customers. Family Law Information Centers help individuals get cases started, respond to cases, make motions to get specific sorts of orders, complete judgments, and enforce judgments.

EVALUATION OF THE PILOT FAMILY LAW INFORMATION CENTERS

Family Code section 15010 sets out the standards for the evaluation of these pilot programs. If the programs meet the following criteria, they shall be deemed successful:

- They assist at least 100 low-income families per year;
- A majority of judges surveyed in the pilot project court believe the Family Law Information Center helps expedite cases with pro per litigants; and
- A majority of Family Law Information Center customers evaluate the Family Law Information Center favorably.

NUMBERS OF INDIVIDUALS SERVED

The evaluation year was fiscal year 2001–2002. The grant funds provided for this period were \$300,000. The courts in Los Angeles, Fresno and Sutter Counties provided additional funding for the programs in an amount of \$120,000. As a result, the pilot Family Law Information Centers were able to provide services to more than 45,000 individuals at a cost of approximately \$9.33 per customer. In its five-year report, the

SARAH'S CASE

Sarah, a young mother, came to her local Family Law Information Center to open a paternity case for her three-week-old infant. The Center staff helped her start her case. Approximately one month later, Sarah came back to the center and wanted to file paperwork giving custody of the baby to her best friend. Sarah had just found out that she was in stage four level of cervical cancer and was not expected to live much longer. It turned out that the baby's father had died and the only living relatives were Sarah's parents who were both drug addicts. She was extremely worried about what would happen to the baby and did not want her drug-using parents to have the child. The Family Law Information Center helped Sarah file her documents, and the court granted her request. Right after court she came by and thanked the center's staff with tears in her eyes. She said how thankful she was for the services she had received. She said that she knew her baby would have ended up in foster care or with her drug addicted parents and she was very grateful for getting help she needed to protect her child. Approximately six or seven weeks later, Sarah's friend came in to the center's office. She told the staff that Sarah had died, but right before her death she was saying how grateful she was for the help she received from the Family Law Information Center office.

JOSE'S CASE

Jose's children had been living with him for the last several years. He had been solely responsible for them and for their support. Recently, he filed a motion with the court asking for a legal order stating that he had custody of the children, and requesting child support. He prepared his papers himself without any sort of assistance. Somehow he became confused about the time scheduled for his hearing. Believing it was set for 1:30 in the afternoon, he failed to show up at 8:30 in the morning, which was the scheduled time. The mother of the children did appear at 8:30 and because Jose was absent, the judge believed that he would not object to the mother's request that she now be given custody. When Jose arrived at court at 1:30 pm, he discovered that custody had been transferred to the mother without the opportunity for him to explain his situation to the judge. Jose came from the courtroom to the Family Law Information Center, which is located in the same building. The center was able to help him get paperwork started to make an emergency request to the court for the return of the children, and for an opportunity to be heard. Jose was able to complete and submit the paperwork and obtain an order that the children be allowed to return home pending an opportunity for a further hearing.

Most customers are employed and have gross monthly incomes under \$2,000.00 per month.

Customers were overwhelmingly pleased with the services they received.

"If the Family Law Information Center wasn't here, I wouldn't know what to do. The staff was helpful and gave me the information I needed."

Customer, 2001

California Commission on Access to Justice estimated that 72 percent of the legal needs of California's poor and low-income residents were unmet. This report cites the pilot Family Law Information Centers as models for other courts in addressing this issue.²

WHO ARE FAMILY LAW INFORMATION CENTER CUSTOMERS

Customers of the Family Law Information Centers tend to be working individuals with low-paid jobs. Most customers have incomes under \$2,000 per month. The percentage of customers with incomes under \$2,000 per month was greater than that in the general populations in their counties as reported in the 2000 census. Customers were both male and female, petitioners and respondents. The majority were between 20 and 40 years of age with one or two children. The majority reported graduating from high school and many had some college. The ethnic and language diversity of the customers of Family Law Information Centers was roughly approximate to that in their county populations as reported in the 2000 census.

CUSTOMER SATISFACTION

Customers were overwhelmingly pleased with the services they received at the Family Law Information Centers. They valued their interactions with staff most highly, but spoke also of the kinds of help they received. Many wrote narratives expressing enormous admiration and gratitude toward the staff.

A survey of customer satisfaction provided the following results:

- 93 percent felt the service was helpful;
- 95 percent felt they had been treated with courtesy and respect;
- 90 percent got effective help with forms;
- 87 percent felt like they understood their case better;
- 82 percent felt better prepared to go to court;
- 83 percent believe they gained a better understanding of the court;
- 78 percent reported receiving prompt service; and
- 92 percent would use the center again.

² State Bar of California, *The Path to Equal Justice: A Five Year status Report on Access to Justice in California* (San Francisco, 2002)

JUDICIAL SURVEY

Twenty-four judges³ in the pilot counties were interviewed to document their evaluation of the Family Law Information Center pilots. These judges were also extremely satisfied with the service the pilots provided to both the public and the court.

- 88 percent report that the centers help litigants provide correct paperwork to the court;
- 75 percent believe that the centers help the litigants become better prepared for court;
- 67 percent believe that the centers help people understand how the law and court procedures are being applied in their cases.
- 88 percent report that the Family Law Information Center saves courtroom time; and
- 88 percent report that the Family Law Information Centers help expedite cases with pro per litigants.

Three of the judges in Los Angeles found it difficult to respond to certain questions because they felt they could not be sure where the pro per litigants had received help.

Of those judges who felt they could respond, 100 percent felt that the programs helped the litigants get the proper paperwork to the court, 90 percent believe the litigants are better prepared to present their cases to the court, 89 percent think that the litigants understand how the court works better after having visited the Family Law Information Center, 96 percent felt that the Family Law Information Center saves them valuable court time, and 100 percent felt that the Family Law Information Centers help expedite pro per cases in family law.

CONCLUSIONS

Based on the evaluation of the three Family Law Information Center pilot programs, we conclude the following:

1. The three Family Law Information Centers have clearly met the criteria set out in Family Code section 15101 (k) and are found to be successful in the mission set for them by the Legislature.

Judges believe that the Family Law Information Centers are helpful – both to litigants and to the courts.

“The Family Law Information Center helps litigants get beyond some of the emotional stress they are experiencing and get more focused on what the court needs them to address.”

Judge, 2002

³ This includes both judges and commissioners.

2. The evaluation data suggest that the Family Law Information Centers serve to reduce costs for the courts in processing pro per family law cases. This aspect of should be studied in more detail, and consideration given to expanding the Family Law Information Centers as a method of cost savings for the courts.
3. Data suggest that funding for the Family Law Information Centers should be sufficient to allow adequate staffing to provide direct assistance with forms preparation, and document review.
4. Subject matter workshops are an efficient method of providing assistance with forms preparation.
5. Telephone help-line assistance is effective in increasing access for those who cannot get to the courthouse during business hours.
6. Timely scheduled appointments can increase customer satisfaction with respect to time spent at the Family Law Information Centers.
7. Further study should be conducted to determine whether courtroom and/or financial mediation services for pro per litigants might further expedite case processing in family law cases.

Most of the judges who were interviewed for this evaluation agreed that the Family Law Information Centers save valuable time in the courtroom and expedite pro per cases as a whole. Many also recognized that Family Law Information Centers are an integral part of managing cases in family law where pro per litigants are the majority in most courts. It is a situation in which the needs of the public and those of the court are in complete accord.

Judges and Family Law Information Center customers alike, each from their own perspectives articulate the need for the continuation and expansion of these pilot programs. ■